

### **REMARKS**

This amendment is in response to the office action dated December 9, 2005 and the telephone interview between the Examiner, Applicants' Attorney, and Applicant.

In the office action, claims 1-2, 4-9, 12-14, 16-27 and 29-59 were rejected. Claims 3, 10-11, 15 and 28 were previously canceled. Claims 1, 6-8, 13, 21-22, 29, 34, 38 and 49 are amended. A detailed discussion of each item in the office action follows.

### **THE 103 REJECTIONS**

In items 4-5 of the office action, claims 1-2, 4, 8, 13-14, 16, 21-23, 25, 29-30, 49, 52-56 and 58-59 were rejected under 35 U.S.C. 103, as being unpatentable over Ogden in view of Maa. In item 6 of the office action, claims 5-6 and 24 were rejected under 35 U.S.C. 103, as being unpatentable over Ogden and Maa and further in view of Liu. In item 7 of the office action, claims 7, 9 and 51 were rejected under 35 U.S.C. 103, as being unpatentable over Ogden, Maa and Liu and further in view of Kikinis. In item 8 of the office action, claims 12 and 26 were rejected under 35 U.S.C. 103, as being unpatentable over Ogden and Maa and further in view of Yeon. In item 9 of the office action, claim 32 was rejected under 35 U.S.C. 103, as being unpatentable over Ogden and Maa and further in view of Tong. In item 10 of the office action, claim 19 was rejected under 35 U.S.C. 103, as being unpatentable over Ogden and Maa and further in view of McPhail. In item 11 of the office action, claim 33 was rejected under 35 U.S.C. 103, as being unpatentable over Ogden and Maa and further in view of Sega. In item 12 of the office action, claim 18 was rejected under 35 U.S.C. 103, as being unpatentable over Ogden and Maa and further in view of Galyean. In item 13 of the office action, claims 20 and 31 were rejected under 35 U.S.C. 103, as being unpatentable over Ogden and Galyean and further in view of Behrens. In item 14 of the office action, claims 34-36 were rejected under 35 U.S.C. 103, as being unpatentable over Ogden in view of Liu. In item 15 of the office action, claims 37-39 were rejected under 35 U.S.C. 103, as being unpatentable over Ogden and Liu and further in view of Kikinis. In item 16 of the office action, claim 45 was rejected under 35 U.S.C. 103, as being unpatentable over Ogden, Liu and Kikinis and further in view of

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Galyean. In item 17 of the office action, claims 48 and 57 were rejected under 35 U.S.C. 103, as being unpatentable over Ogden and Liu and further in view of Galyean. In item 18 of the office action, claim 40 was rejected under 35 U.S.C. 103, as being unpatentable over Ogden, Liu and Kikinis and further in view of Maa. In item 19 of the office action, claims 41-44 and 46 were rejected under 35 U.S.C. 103, as being unpatentable over Ogden, Liu, Kikinis and Maa and further in view of Tong. In item 20 of the office action, claim 47 was rejected under 35 U.S.C. 103, as being unpatentable over Ogden, Liu and Kikinis and further in view of Yeon. In item 21 of the office action, claims 27 and 50 were rejected under 35 U.S.C. 103, as being unpatentable over Ogden and Maa and further in view of Kaminsky. In item 22 of the office action, claim 17 was rejected under 35 U.S.C. 103, as being unpatentable over Ogden, Maa and Liu and further in view of Yeon.

All of the rejections hinge on the patent to Ogden. Pursuant to Applicant and Applicants' Attorney's conversation with the Examiner, Applicant has limited the claims the more specifically define the differences between Ogden and Applicants' invention. In particular, location of the motion control means in Applicants' base unit which control simple linkages inside of Applicants' figure. The Ogden device uses a complex figure which has control means in the figure unit. The Ogden configuration would be inoperable for Applicant's applications due to size and cost constraints.

Ogden teaches the use of a movable figure which has a complicated mechanical drive structure which attaches to a relatively simple base unit. Ogden teaches a large and complex Figure Unit Assembly which includes not only the figure, but all of the necessary movement control means necessary to control movement of the figure. This entire Figure Unit Assembly is attached to a base platform which allows the figure unit assembly to be rotated or moved along a track.

The combination of the figure in the figure unit assembly is too large and costly to be conveniently and economically used in a system, such as Applicants', which has detachable and interchangeable figures. In Applicants' device, the movement control components are located in the base unit, and the figure is detachably attached to the base unit. The figure has only the minimum

number of mechanical linkages to allow a predetermined set of motions to be made. This configuration allows the figures to be simple, lightweight, inexpensive to manufacture, and easy to interchange. Because Applicants' device uses a lightweight movable figure which internal linkages which are controlled from outside, its design is economically feasible for its intended purpose. In contrast, while the Ogden device works well for its purpose, it would be unsuitable for Applicants' purposes.

In summary, the size and complexity of the Ogden device makes it too costly and difficult to provide multiple replaceable moving figures which will allow characters could be used for different purposes. Applicants' invention does not have this drawback.

Applicants' have limited the claims to more clearly defined the difference between Ogden/Maa and Applicants' invention. Based on the amendment to the claims, Applicants' Attorney believes that this basis projection has been overcome.


Pursuant to the conversation between the Examiner, Applicants' Attorney, and the Applicant, the independent claims have been amended more clearly defined this difference between Ogden and Applicants' invention. Applicants' Attorney believes that based on the amendment to the claims, this basis of rejection has been overcome.

### **CONCLUSION**

Applicants' Attorney thanks the Examiner for the Examiner's help in prosecuting this invention. In response to the office action, Applicants' Attorney has amended 1, 6-8, 13, 21-22, 29, 34 and 49. The independent claims have been modified to incorporate limitations to delineate the point at which universal adapter and the movable figure intersect. In addition, other limitations were added to some of the dependent claims. Applicants' Attorney has been careful to avoid the introduction of new matter. Applicants' Attorney believes that all items in the office action dated December 9, 2005 have been addressed, and respectfully requests the Examiner to reconsider the claims, as amended, with a view towards allowance. Applicants' Attorney further invites the


Examiner to contact Applicants' Attorney for a telephonic interview at the below listed number if the Examiner believes that prosecution of the application can be furthered by so doing.

Respectfully submitted,

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on: March 9, 2006  
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